

Notice of Allowability

Application No.

10/713,735

Examiner

Phuoc H. Nguyen

Applicant(s)

NAICK ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on November 26, 2007 and was interviewed on December 18, 2007.
2. ☒ The allowed claim(s) is/are 1-5, 8-15, and 17-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

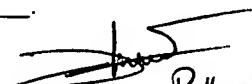
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date December 18, 2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Phuoc H. Nguyen

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Erik J. Osterrieder (Reg. No. 48,966) on December 18, 2007.

Listing of the Claims:

Claims 6, 7 and 16 have been cancelled.

Claims 1, 8, 9, and 17 have been amended and claims 22-23 have been added as follow:

1. (Currently Amended) A method for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email, the method comprising:

removing the email attachment from the email, and producing the stripped email;

storing the email attachment;

adding the call to the stripped email, wherein adding the call comprises adding code to the email, the code being configured to automatically execute upon display of the email via an email client associated with the recipient, to request transmission of the email attachment;

generating the call to the code, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients; and

forwarding the stripped email with the call to the recipient.

8. (Currently Amended) The method of claim 7 22, wherein the hyperlink, upon activation, initiates access to an Internet protocol address associated with the code for the retrieval of the email attachment.

9. (Currently Amended) A device for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email, the device comprising:

a detacher to remove the email attachment from the email to create the stripped email;

storage coupled with the detacher to store the email attachment;

a call incorporator to add the call to the stripped email based upon the storage, wherein the call incorporator comprises a call generator to generate code based upon an address associated with the storage, the code being configured to automatically transmit a request for the email attachment in response to execution of the call to the code by an email program associated with the recipient; and

a call generator, associated with the call incorporator, to generate the call to the code based upon an address associated with the storage, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients.

17. (Currently Amended) A storage type accessible medium containing instructions, which when executed by a machine, cause the machine to perform operations for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email, comprising:

receiving the email with the email attachment;

removing the email attachment from the email, and producing the stripped email;

storing the email attachment;

adding the call to the stripped email, wherein adding the call comprises adding code to the email, the code being configured to automatically execute upon display of the email via an email client associated with the recipient, to request transmission of the email attachment;

generating the call to the code, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients; and

forwarding the stripped email with the call to the recipient.

22. (New) A method for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email, the method comprising:

removing the email attachment from the email, and producing the stripped email;

storing the email attachment;

adding the call to the stripped email, wherein adding the call comprises adding a hyperlink to the stripped email, wherein the hyperlink is configured to initiate code associated with the email attachment to transmit the email attachment to the recipient;

generating the call to the code, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients; and

forwarding the stripped email with the call to the recipient.

23. (New) A device for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email, the device comprising:

a detacher to remove the email attachment from the email to create the stripped email;

storage coupled with the detacher to store the email attachment;

a call incorporator to add the call to the stripped email based upon the storage, wherein the call incorporator comprises an icon associator to add a hyperlink to the stripped email, wherein the hyperlink is configured to initiate code associated with the email attachment to transmit the email attachment to the recipient;

a call generator, associated with the call incorporator, to generate the call to the code based upon an address associated with the storage, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients.

Examiner's Statement of Reasons for Allowance

1. This office action is in response to the amendment filed on November 26, 2007 and was interviewed on December 19, 2007.
2. Applicant amended claims 1, 8, 9, 17, cancelled claims 6, 7, 16, and added claims 22-23.
3. Claims 1-5, 8-15, and 17-23 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

The present invention is directed to a system and method for replacing an email attachment associated with an email with a call to code, wherein the code downloads the email attachment upon activation of the call by a recipient of a stripped email. Claims 1, 9, 17, and 22-23 uniquely identify a distinct feature "generating the call to the code based upon an address associated with the storage, wherein the code downloads the email attachment upon activation of the call by the recipient of the stripped email, wherein the code responds to user-defined rules configured for instructing an identity and a location of the email attachment for the recipient, wherein the identity and the location may differ for other recipients" and in combination with

other limitations as set forth in the independent claims. Claims 2-5, 8, 10-15, and 18-20 are allowed due to dependent claims.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Phuoc H Nguyen', written over a horizontal line.

Phuoc H Nguyen
Primary Examiner
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December 20, 2007